

**GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT**

Irrigation & CAD (ARB) Department –Suits -Final Settlement of Arbitration Award in respect of the work relating to "Earth work excavation and forming Embankment from KM.180-181 of Kakatiya Canal under Agreement No.25/79-80, dt.4-8-79 – Sanction of an amount of Rs.1,35,000/- to M/s.Siva Prasad Reddy & Company, Contractor-Orders – Issued.

-----  
IRRIGATION AND COMMAND AREA DEVELOPMENT(ARB)DEPARTMENT

G.O.Ms.No. 34

Dated:25<sup>th</sup> February, 2009.  
Read the following:-

1. From Sri G.Siva Prasad Reddy, Managing Partner of M/s.Siva Prasad Reddy & Co., representation dt 13-08-2007.
2. G.O.(Rt.) No.103, I & CAD (ARB) Department, dt. 24-01-2008.
3. Govt. Memo.No.24363/ARB/2007, dated 27-03-2008.
4. From the ENC (AW/IW) Lr.No.ENC/IW/P&M/EE.I/DEE.8/300108/08-6, dated 04-06-2008 and dated 27-06-2008.
5. From the ACE/SRSP, Hyd., Lr.No.ACE/SRSP/DEE.2/ AE3/24842/87/08, dt.23.06.08.

--::--

**O R D E R:**

M/s. Siva Prasad Reddy & Company, in their representation first read above, have stated that the work relating to Earth Excavation and forming embankment from Km.180.00 to 181.00 of Kakatiya Canal was awarded to them under Agreement No.25/79-80, dated 04.08.1979. During the execution of work certain disputes have been arisen between the Parties and the same was referred to the Sole Arbitrator. The Arbitrator made his award on 21.06.1989. The Government filed OP.No.505/89 in IV Senior Civil Judge, City Civil Court, Hyderabad, to set aside the award. They have also filed the OP.No.500/1989 to make the award rule of Court in the said Court. They have further stated that the Hon'ble Senior Civil Judge dismissed the OP.No.505/89 and passed a decree in terms of the award in OP.No.500/89. Aggrieved by this, the Government filed CRP.No.524/94 (against OP.No.500/89) and CMA.No.304/94 (against OP.No.505/89) in the Hon'ble High Court of A.P. While the matter was pending, the Hon'ble High Court directed both the parties to mutually settle the dispute by its Order dt.08.06.07 and disposed the cases.

2. M/s.Siva Prasad Reddy & Company, have further stated that the works were executed during the year 1979 to 1982. The disputes were referred to the learned arbitrator and the award was passed on 21.06.89. Thereafter the civil cases are pending since 1989 and thereafter in the Hon'ble High Court since 1994. Though the award was passed in their favour and followed by a decree by the Civil Court only ¼ of the amount was received by them. The Agency has submitted that they have suffered losses during the execution of the work and their claims were pending since 1982. Therefore the contract Agency have finally requested the Government to settle the claims by mutual settlement to avoid further delay and expenditure.

3. Based on the directions of the Hon'ble A.P.High Court and as per the suggestions of the Learned Advocate General, Andhra Pradesh, Hyderabad, in the G.O. second read above, orders have been issued to constitute three Regional Committees in the State for conciliation with the concerned contractor. Accordingly, in the Govt.Memo. third read above, the present case has been referred to the Committee for Telangana Region for negotiation with the contractor for an amicable settlement.

**P.T.O**

**::2::**

4. The Engineer-in-Chief,(AW/IW) I&CAD, and the Administrator-cum-Chief Engineer, Sriram Sagar Project, in the references 4<sup>th</sup> & 5<sup>th</sup> read above, have stated that the committee constituted for Telangana Region met on 21-5-2008 and conducted final meeting to conciliate in respect of the work under Agt.No.25/1979-1980, dated 04-08-1979. After the final conciliation meeting held on 26-6-2008 in the Chambers of Prl. Secretary, I&CAD Department, with the Agency, the authorized representative of the agency has finally accepted for an amount of Rs.1,75,000/- as lumpsum including interest and any incidentals and also accordingly furnished the declaration for an amount of Rs.1,75,000/- as final settlement of the claims and declared that they will withdraw all the legal proceedings pending in the respective Courts.

5. After careful examination of the matter, Government hereby sanction the balance amount of Rs.1,75,000/- (Rupees one lakh and seventy five thousand only) towards full and final Settlement of Arbitration Award in respect of the work relating to "Earth work excavation and forming Embankment from KM.180-181 of Kakatiya Canal under Agreement No.25/79-80, dt.4-8-79 awarded to M/s G.Siva Prasad Reddy & Company.

6. The above sanctioned amount shall be debited to the following Head of Account:

"2701 – M & M.I. 01 – Major Irrigation 116 – Sriramasagar Project 11 – Normal State Plan 27 – Canals & Distribution 530 – Major works 531 – other expenditure."

7. The Administrator-cum-Chief Engineer, Sriram Sagar Project, Hyderabad is directed to arrange to pay the amount sanctioned at para ( 5 ) above to M/s. G.Siva Prasad Reddy & Company, duly deducting the amount that are recoverable on whatsoever account.

8. This order issues with the concurrence of the Finance (W &P) Dept. vide their U.O.No.4900/F4(2)/08-1, dated 08-12-2008.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S.P.TUCKER  
PRL.SECRETARY TO GOVERNMENT

To

Sri G.Siva Prasad Reddy, Managing Partner of M/s. Siva Prasad Reddy &Company  
C/o.E.Raja Rao, Advocate, Elite Pride,D.No.8-2.469/C,Banjara Hills,Road No.5,  
Hyderabad-34.

The Engineer-in-Chief (AW/IW), Irrigation Department, Errum Manzil, Hyderabad.

The Administrator-cum-Chief Engineer, Sriram Sagar Project, Hyderabad.

The Pay and Accounts Officer, Hyderabad.

The Deputy Pay & Accounts Officer, Secretariat Branch, Hyderabad.

8-2-469/C, Banjara Hills, Road No.5, Hyderabad – 34.

I & CAD (P&B) Department. The Advocate General, A.P., Hyderabad.

The Finance (W&P) Department. (with a request to release the LOC for the Sanctioned amount).

The Advocate General, High Court of Andhra Pradesh, Hyderabad.

The Government Pleader for Arbitration, High Court of Andhra Pradesh,  
Hyderabad.

S.F. / S.Cs.

//Forwarded::Byorder//

SECTION OFFICER